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OTHER LEGISLATIVE MEETINGS

ITEM-300: ROLL CALL.

Time allotted to each speaker is determined by the Chair, however, comments are limited to no more than three (3) minutes **total per subject** regardless of the number of those wishing to speak. Submit requests to speak to the City Clerk **prior** to the start of the meeting. Pursuant to the Brown Act, no discussion or action, other than a referral, shall be taken by Council on any issue brought forth under “Non-Agenda Public Comment.”

COUNCIL, CITY ATTORNEY, CITY MANAGER COMMENT

REQUEST FOR CONTINUANCE

The Council will now consider requests to continue specific items.

=== LEGISLATIVE SCHEDULE ===

Noticed Hearings, Discussion

ITEM-330: Beyer Property.

Matter of approving, conditionally approving, modifying or denying an application for a Process 5 Public Right-of-Way Vacation (Street Vacation); and Easement Abandonment (EA); a Process 4 Tentative Map (TM), to create two lots from seven existing lots; a Process 4 Planned Development Permit (PDP) to deviate from the development regulations of the RM-1-1 zone; a Process 3 Site Development Permit (SDP) to consolidate lots for the purpose of maximizing density within the San Ysidro Planned District and to deviate from the Environmentally Sensitive Lands Regulations for the construction of an 81 unit multi-family condominium development in the form of 27 detached structures. The 6.80-acre site is located north of Beyer Boulevard and west of Smythe Avenue in the RM-1-1 zone in the San Ysidro Planned District within the San Ysidro Community Planning Area, and Council District 8. The proposed project will conform to the Council Policy 600-27(A) criteria for the Affordable/In-fill Housing Expedite Program by setting aside at least 10 percent of the total dwelling units on-site for households with an income at or below 65 percent Area Median Income (AMI) for rental units, or at or below 100 percent AMI for for-sale units. (San Ysidro Community Plan Area. District 8.)

CITY MANAGER'S RECOMMENDATION: Adopt the resolutions in subitems A and B; and adopt the resolution in subitem C to grant the permits.

Special Hearings, Discussion

ITEM-331: In the matter of:
The disposition of the Mt. Soledad Cross and the property previously conveyed to the Mt. Soledad Memorial Association.

Non-Docket Items

Adjournment in Honor of Appropriate Parties

Adjournment

=== EXPANDED CITY COUNCIL AGENDA ===

ADOPTION AGENDA, DISCUSSION, HEARINGS

NOTICED HEARING:

ITEM-330: Beyer Property.

Matter of approving, conditionally approving, modifying or denying an application for a Process 5 Public Right-of-Way Vacation (Street Vacation); and Easement Abandonment (EA); a Process 4 Tentative Map (TM), to create two lots from seven existing lots; a Process 4 Planned Development Permit (PDP) to deviate from the development regulations of the RM-1-1 zone; a Process 3 Site Development Permit (SDP) to consolidate lots for the purpose of maximizing density within the San Ysidro Planned District and to deviate from the Environmentally Sensitive Lands Regulations for the construction of an 81 unit multi-family condominium development in the form of 27 detached structures. The 6.80-acre site is located north of Beyer Boulevard and west of Smythe Avenue in the RM-1-1 zone in the San Ysidro Planned District within the San Ysidro Community Planning Area, and Council District 8. The proposed project will conform to the Council Policy 600-27(A) criteria for the Affordable/In-fill Housing Expedite Program by setting aside at least 10 percent of the total dwelling units on-site for households with an income at or below 65 percent Area Median Income (AMI) for rental units, or at or below 100 percent AMI for for-sale units.

(San Ysidro Community Plan Area. District 8.)

CITY MANAGER'S RECOMMENDATION:

Adopt the resolutions in subitems A and B; and adopt the resolution in subitem C to grant the permits:

Subitem-A: (R-2005-841)

Adoption of a resolution certifying Mitigated Negative Declaration No. 41718, on file in the Office of the City Clerk, has been completed in compliance with the California Environmental Quality Act of 1970 (California Public Resources Code section 21000 et seq.), as amended, and the State guidelines thereto (California Code of Regulations section 15000 et seq.), that the declaration reflects the independent judgment of the City of San Diego as Lead Agency and that the information contained in the report, together with any comments received during the public review process, has been reviewed and considered by this Council in connection with the approval of the planned development permit, site development permit, public right-of-way vacation, easement abandonment and tentative map for the Beyer Property project;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

Subitem-A: (Continued)

That the City Council finds that project revisions now mitigate potentially significant effects on the environment previously identified in the Initial Study and therefore, that the Mitigated Negative Declaration, a copy of which is on file in the office of the City Clerk and incorporated by reference, is approved;

That pursuant to California Public Resources Code section 21081.6, the City Council adopts the Mitigation Monitoring and Reporting Program, or alterations to implement the changes to the project as required by this body in order to mitigate or avoid significant effects on the environment, and incorporated herein by reference;

That the City Clerk is directed to file a Notice of Determination [NOD] with the Clerk of the Board of Supervisors for the County of San Diego regarding the above project.

Subitem-B: (R-2005-840)

Adoption of a Resolution adopting the findings with respect to Tentative Map No. 119405, Public Right-of-Way Vacation No. 139967, and Easement Abandonment No. 139970;

That pursuant to San Diego Municipal Code section 125.910(a) and 125.1010(b), and Map act section 66434(g) a portion of public right-of-way located at the westerly terminus of Foothill Road and the associated public service easements granted pursuant to Map 1246, recorded on April 8, 1910, located within the project boundaries as shown in Tentative Map No. 119405, shall be vacated, contingent upon the recordation of the approved final map for the project;

That pursuant to San Diego Municipal Code section 125.1010(b) and Map Act section 66434(g) a portion of a 10-foot sewer easement located within Parcel A, of Parcel Map 19146, recorded on November 18, 1957, in book 6836, Page 450 of Official Records, located within the project boundaries as shown in Tentative Map No. 119405, shall be vacated, contingent upon the recordation of the approved final map for the project;

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

Subitem-B: (Continued)

That the recommendation of the Planning Commission is sustained, and Tentative Map No. 139970, Public Right-of-Way No. 139967 and Easement Abandonment No. 139970 is granted to Marker Foothill, LLC, and Benito and Sylvia Hernandez, Applicant/Subdivider and Hunsaker &/Associates, Engineer, subject to the attached conditions which are made a part of this resolution.

Subitem-C: (R-2005-)

Adoption of a Resolution granting or denying Planned Development Permit No. 119404 and Site Development Permit No. 139964, with appropriate findings to support Council action.

OTHER RECOMMENDATIONS:

Planning Commission on January 13, 2005, voted 5-0 to approve; no opposition.

Ayes: Schultz, Garcia, Steele, Chase, Ontai

Not present: Otsuji

The San Ysidro Planning and Development Group has recommended approval of this project.

CITY MANAGER SUPPORTING INFORMATION:

BACKGROUND

This is an Affordable/In-Fill Housing Expedite project. The project proposes to demolish two single-family residences and consolidate seven parcels into one lot to construct an 81 unit multi-family condominium development consisting of 27 detached, two-story, residential triplex structures. The proposed project will conform to the Inclusionary Affordable Housing Requirements and Council Policy 600-27(A) criteria by setting aside at least 10 percent of the total for-sale dwelling units on-site for households with an income at or below 100 percent Area Median Income (AMI). Development of the proposed project requires the approval of a Public Right-of-Way Vacation at the westerly terminus of Foothill Road; an Easement Abandonment for portions of a 10-foot sewer easement located on the eastern property line, and the sewer and water easement within the portion of Foothill Road that is proposed to be vacated; a

ADOPTION AGENDA, DISCUSSION, HEARINGS (Continued)

NOTICED HEARING: (Continued)

ITEM-330: (Continued)

CITY MANAGER SUPPORTING INFORMATION: (Continued)

Tentative Map for a condominium development and to create two lots from seven existing lots; a Planned Development Permit to deviate from the development regulations; and a Site Development Permit to consolidate lots for the purpose of maximizing density within the San Ysidro Planned District and to deviate from the Environmentally Sensitive Lands Regulations for encroachment within sensitive biological resources. The 6.80-acre site is located on the north side of Beyer Boulevard, west of Smythe Avenue within the San Ysidro Community Planning Area and Council District 8.

Planning Commission Recommendation: The Planning Commission considered this project on January 13, 2005, and voted 5-0-0 to recommend that the City Council adopt City staff recommendation to approve the project as presented in the Planning Commission Report No. PC-05-019.

Community Planning Group Recommendation: On August 17, 2004, the San Ysidro Planning and Development Group voted 11-1-0 to recommend approval of the project as proposed.

Manager's Recommendation: CERTIFY Mitigated Negative Declaration No. 41718, and ADOPT Mitigation, Monitoring and Reporting Program (MMRP); APPROVE Public Right-Of-Way Vacation No. 139967 and Easement Abandonment No. 139970; APPROVE Planned Development Permit No. 119404, Tentative Map No. 119405, and Site Development Permit No. 139964.

FISCAL IMPACT:

None with this action. All costs associated with the processing of this project are paid from a deposit account maintained by the applicant.

Ewell/Halbert/JAP

LEGAL DESCRIPTION:

The project site is legally described as the South Two-fifths of the West Half of the East Half of the Southeast Quarter of the Northeast Quarter of Section 35, Township 18 South, Range 2 West, San Bernardino Meridian, in the City of San Diego, County of San Diego, State of California, according to Official Plat Thereof; Parcel A of Parcel Map No. 19146; Portion of Lot A-176, Lot A-177 through A-179 of Addition No. 2 of San Ysidro, Map No. 1246.

Staff: Jeff Peterson - (619) 446-5237

ADOPTION AGENDA, DISCUSSION, HEARINGS

SPECIAL HEARING:

ITEM-331: In the matter of:

The disposition of the Mt. Soledad Cross and the property previously conveyed to the Mt. Soledad Memorial Association.

(See Memorandum from City Attorney Aguirre dated 2/24/2005.)

NON-DOCKET ITEMS

ADJOURNMENT IN HONOR OF APPROPRIATE PARTIES

ADJOURNMENT